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Paper No. 7

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**OFFICE OF PETITIONS**

In re Application of  
Wang, Dong, and Meehan  
Application No.: 10/071,667  
Filed: February 8, 2002  
Attorney Docket No: OSTEONICS 3.0-380  
For: POROUS METALLIC SCAFFOLD FOR  
TISSUE GROWTH

DECISION ACCORDING  
STATUS UNDER  
RULE 47(a)

This is in response to the petition under 37 CFR 1.47(a), filed October 15, 2002.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

A "Notice to File Missing Parts of Non-Provisional Application" ("Notice") was mailed to petitioner on April 2, 2002, indicating that petitioner did not file a proper oath or declaration in compliance with 37 CFR 1.63. The Notice also advised petitioner that a \$130.00 surcharge was also due because a proper oath or declaration was not timely filed. The Notice set forth a period of reply of two months from the mailing date of the Notice.

In response thereto, petitioner filed the instant petition along, a request for an extension of time within the fourth month, and several accompanying exhibits through which petitioner established that the inventor Wang has refused constructively to join the prosecution of the above-cited application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Patent Publications for further processing.

Telephone inquiries should be directed to the undersigned at (703) 305-0010.

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Office of Petitions